

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: DEC 29 2005

COUNT ONE

The Grand Jury charges:

1. From in or about March 2004, up to and including in or about April 2005, in the Southern District of New York and elsewhere, OSCAR WALDHEIM-TORON, CRISTINA ELIZABETH AVILA-GARCIA, PABLO RIVERA, CARLOS TRIGUEROS, a/k/a "Gringo," GIOVANNY ESPANA, PEDRO JULIO PRANDY-BINNETT, a/k/a "Pepe," and MIGUEL HURTADO, the defendants, together with others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that OSCAR WALDHEIM-TORON, CRISTINA ELIZABETH AVILA-GARCIA, PABLO RIVERA, CARLOS TRIGUEROS, a/k/a "Gringo," GIOVANNY ESPANA, PEDRO

JULIO PRANDY-BINNETT, a/k/a "Pepe," and MIGUEL HURTADO, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 13, 2004, CARLOS TRIGUEROS, a/k/a "Gringo," the defendant, spoke on the telephone regarding a proposed sale of 3 kilograms of cocaine.

b. In or about February 2005, PABLO RIVERA, the defendant, sent approximately \$10,000 in narcotics proceeds from Manhattan, New York, to OSCAR WALDHEIM-TORON, the defendant, in Guatemala.

c. On or about February 11, 2005, MIGUEL HURTADO, the defendant, and RIVERA had a telephone conversation regarding the proceeds of narcotics.

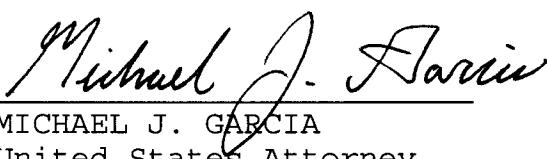
d. In or about April 2005, CRISTINA ELIZABETH AVILA-GARCIA, the defendant, and others transported approximately

\$10,000 in narcotics proceeds from Maryland to Manhattan, New York.

e. On or about April 3, 2005, GIOVANNY ESPANA, the defendant, had a telephone conversation with WALDHEIM-TORON regarding the proceeds of narcotics.

(Title 21, United States Code, Section 846.)

  
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FOREPERSON

  
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MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

OSCAR WALDHEIM-TORON,  
CRISTINA ELIZABETH AVILA-GARCIA,  
PABLO RIVERA,  
CARLOS TRIGUEROS,  
a/k/a "Gringo,"  
GIOVANNY ESPANA,  
PEDRO JULIO PRANDY-BINNETT,  
a/k/a "Pepe," and  
MIGUEL HURTADO,

Defendants.

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SEALED INDICTMENT

S3 05 Cr. 369 (VM)

(Title 21, United States Code,  
Section 846)

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MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL



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Foreperson.